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Barnes & Noble, Inc. and
barnesandnoble.com llc

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BARNES & NOBLE, INC. and
BARNESANDNOBLE.COM LLC,

Plaintiffs,

v.

LSI CORPORATION and
AGERE SYSTEMS INC.,

Defendants.

Case No. 11-cv-02709 EMC

**JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
TIME FOR RULE 26(F) REPORT AND
RULE 26(A)(1) INITIAL DISCLOSURES**

Trial Date: None set ORDER

1 Pursuant to Local Rule 6-1(a), Plaintiffs Barnes & Noble, Inc. and Barnesandnoble.com
2 LLC (“Plaintiffs”) and Defendants LSI Corporation and Agere Systems Inc. (“Defendants”)
3 (collectively, the “Parties”), by and through their respective counsel of record, hereby stipulate
4 and agree as follows:

5 WHEREAS, on August 29, 2011, counsel for the Parties conferred by telephone pursuant
6 to Fed. R. Civ. P. 26(f) to discuss the Parties’ respective claims and defenses, the possibility of
7 settlement, to arrange for initial disclosures, and to develop a proposed discovery plan;

8 WHEREAS, the deadline for the Parties to submit a report pursuant to Fed. R. Civ. P.
9 26(f) outlining the Parties’ agreed-upon discovery plan is currently September 12, 2011;

10 WHEREAS, the Court, per the Amended Clerk’s Notice dated August 31, 2011 [Dkt. No.
11 49], ordered the Parties to file a joint case management conference statement by September 30,
12 2011;

13 WHEREAS, the Parties have agreed that they shall file their report outlining the Parties’
14 agreed-upon discovery plan pursuant to Fed. R. Civ. P. 26(f) concurrently with the Parties’ joint
15 case management conference statement by September 30, 2011;

16 WHEREAS, the deadline for the Parties to serve Initial Disclosures pursuant to Fed. R.
17 Civ. P. 26(a)(1) is currently September 12, 2011;

18 WHEREAS, the Parties have agreed that they shall have until fourteen (14) days from the
19 date of the Court’s order regarding Defendants’ motions to dismiss or, in the alternative, to
20 transfer [Dkt. Nos. 21, 45] to serve their Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1);

21 THE PARTIES HEREBY STIPULATE that they shall have until September 30, 2011 to
22 file their report pursuant to Fed. R. Civ. P. 26(f) and shall have until fourteen (14) days from the
23 date of the Court’s order regarding Defendants’ motions to dismiss or, in the alternative, to
24 transfer [Dkt. Nos. 21, 45] to serve their Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1).

1 Dated: September 12, 2011

FENWICK & WEST LLP

2
3 By: /s/ Ryan Tyz

4 Ryan Tyz

Attorneys for Defendants

LSI Corporation and Agere Systems Inc.

5 Dated: September 12, 2011

6 QUINN EMANUEL URQUHART &
7 SULLIVAN, LLP

8 By: /s/ Carl G. Anderson

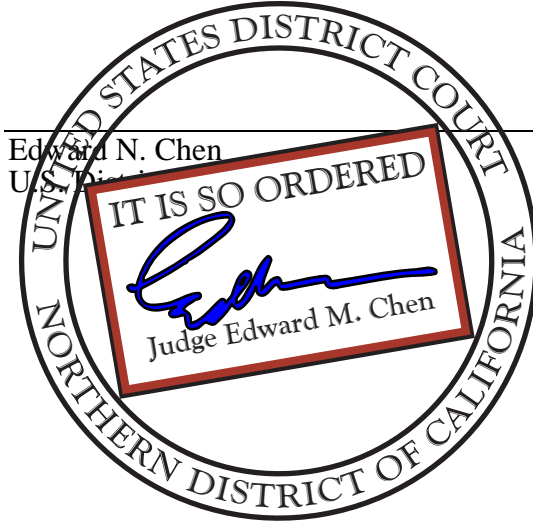
9 Carl G. Anderson

Attorneys for Plaintiffs

Barnes & Noble, Inc. and

Barnesandnoble.com LLC

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14 IT IS SO ORDERED.



FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

ATTESTATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order No. 45, § X(B), regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: September 12, 2011

FENWICK & WEST LLP

By: /s/ Ryan Tyz

Ryan Tyz

Attorneys for Defendants

LSI Corporation and Agere Systems Inc.

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW